



Policy: 1160  
Procedure: 1160.02  
Chapter: Inspections and Investigations  
Rule: Criminal Investigations

Effective: 08/22/06  
Replaces: 1161  
Dated: 06/01/99

### Purpose:

The Arizona Department of Juvenile Corrections (ADJC) Criminal Investigative Unit (CIU) assigned to IID and/or assigned Law Enforcement Agency shall conduct the criminal investigation in response to allegations of criminal misconduct involving juveniles, employees, volunteers, interns, and service providers under contract with ADJC.

### Rules:

1. **CRIMINAL INVESTIGATORS ASSIGNED TO THE CRIMINAL INVESTIGATIONS UNIT** for the purpose of investigating offenses, apprehending offenders, recovering stolen property, and facilitating prosecution shall be Arizona Peace Officer Standards and Training (AZPOST) certified sworn police officers. **CRIMINAL INVESTIGATORS** shall:
  - i. Investigate assigned cases to the fullest extent possible;
  - ii. Make reports, which reflect case activity, i.e., case status, arrests made, etc.;
  - iii. Comply with the IID Case Management program in retaining cases for investigation and appropriate documentation.
2. **Crime Scene Management:**
  - a. The **FIRST YOUTH CORRECTIONS OFFICER (YCO)** on the scene of a major crime or serious accident involving criminal activity shall take the necessary precautions to preserve the scene and potential items of evidence:
    - i. The first YCO on the scene shall be in charge of the scene until the arrival of any YCO of supervisory status at which time the **SUPERVISOR** shall automatically assume control of the scene;
    - ii. If the **FIRST OFFICER ON THE SCENE IS AN OFFICER OF SUPERVISORY STATUS**, **S/HE** shall be in charge of the scene until the arrival of a higher-ranking supervisor or until they are relieved.
  - b. The **HIGHEST-RANKING OFFICER** at the scene shall be the supervisory authority for the scene until relieved of that responsibility by a higher ranking officer and/or the assigned Investigator;
  - c. In cases involving serious crimes (death, serious bodily injury, or other crimes of serious impact), the **HIGHEST RANKING SUPERVISOR ON DUTY** shall respond as soon as possible to the scene and assume management responsibilities. The **MANAGER ON SCENE** shall contact the Director and the IID Administrator or designee;
  - d. **IID ADMINISTRATOR OR DESIGNEE** shall assign investigators to respond to the scene.
3. **Preliminary Investigations:**
  - a. **YOUTH CORRECTION OFFICERS (YCO)** will normally be the first to respond to an incident.
    - i. Under normal circumstances, the **YCOs** shall conduct a preliminary investigation by gathering field information relative to the incident;
    - ii. **IID INVESTIGATORS** shall conduct follow-up investigation, if needed.
  - b. The **YCO OR IID INVESTIGATOR**, if designated, shall include the following steps in conducting a preliminary investigation, if appropriate:
    - i. Observing all conditions, events, and remarks at the scene;
    - ii. Locating and identifying witnesses;
    - iii. Preserving the scene and protecting evidence;
    - iv. Interviewing the complainant and all witnesses;
    - v. Interrogating suspects when applicable;
    - vi. Arranging for and/or collecting all evidence;
    - vii. Writing an accurate and detailed Incident Report (IR) of the incident.

4. **Follow-up Investigations:**

- a. The **IID CRIMINAL INVESTIGATOR ASSIGNED A CASE FOR FOLLOW-UP INVESTIGATION** shall thoroughly and completely investigate that case with the intent to clear it from records.
  - i. The investigative procedures used will vary from case to case depending on the circumstances and accepted case management practices.
- b. **IID CRIMINAL INVESTIGATOR ASSIGNED A CASE FOR FOLLOW-UP INVESTIGATION** shall use the basic steps in conducting a follow-up investigation which are as follows:
  - i. Review and analyze all previous reports prepared in the preliminary investigation, if applicable and relative to the investigation.
    - (1) Information Development –
      - (a) Analyze all reports prepared in the preliminary investigation;
      - (b) If statements were made or taken, review these for completeness, consistent facts, and possible other witnesses to contact;
      - (c) Review Departmental and other records available on the victims, witnesses, or suspects.
  - ii. Conduct interviews and interrogations;
  - iii. Plan, organize and conduct searches, as appropriate;
  - iv. Identify and apprehend suspects;
  - v. Check suspect's criminal history;
  - vi. Collect physical evidence. All evidence that is discovered shall be processed per Departmental policy;
  - vii. Forward the results of lab tests to the original case file, the investigator, and the prosecutor, if needed;
  - viii. Submit evidence photo line-ups in accordance with established procedures in Best Practices in the Law Enforcement Community and Evidence Policy.
    - (1) Photo line-ups become evidence when a witness identifies one of the photos as being the suspect.
  - ix. Determine involvement of suspects in other crimes;
  - x. Obtain additional information from YCOs, informants etc., to aid in case investigation;
  - xi. Conduct all surveillance techniques in a lawful manner, if surveillance is used;
  - xii. Arrange for dissemination of information, as appropriate;
  - xiii. Prepare case for court presentation;
  - xiv. Assist in prosecution.

5. **Victims' Rights.**

- a. As soon as possible after the detection of a criminal offense and without interfering with an investigation or arrest, **INVESTIGATORS** shall inform victims of their rights in accordance with the victims' rights statutes
- b. **IID INVESTIGATOR** shall distribute the following forms for victims' rights notifications:
  - i. Victims' Rights Notification brochure (available in English and Spanish);
  - ii. Victims' Rights Request/Waiver.
- c. Notification on Cases Involving Submittals. The **IID CASE MANAGER** shall generate a letter to the victim(s) at the time the case is submitted to the prosecutor.
  - i. This section applies when:
    - (1) The offense is a felony or misdemeanor covered by the victims' rights mandates;
    - (2) The victim or victims are individuals who have requested their "upon request" rights;
    - (3) The case is a "basket case" submittal, not an "in jail" submittal.

6. **Homicide Investigations:**

- a. The investigation of a homicide may directly or indirectly involve other criminal acts. **ALL EMPLOYEES** shall adhere to the following guidelines which contain important aspects to any investigation.
- b. The **YCO INVOLVED IN THE INVESTIGATION OF ANY HOMICIDE** shall properly report and document the following elements:
  - i. Time of arrival;

## Procedure No. 1160.02 Criminal Investigations

### Page 3 of 5

- ii. Address of scene;
  - iii. Weather conditions;
  - iv. Lighting conditions;
  - v. Present condition of crime scene.
- c. At the outset of an investigation, the **CRIMINAL INVESTIGATION UNIT COMMANDER IN CHARGE** shall designate the primary investigator who will have the overall responsibility for the case;
- d. The investigation begins at the time of notification and that information, as to when, how, and by who, should be documented:
  - i. The integrity of a homicide crime scene is paramount to ensure the detection and conviction of the suspect(s). The **SUPERVISOR OR SENIOR YCO AT A HOMICIDE SCENE** shall:
    - (1) Assign responsibilities;
    - (2) Control scene/protect evidence;
    - (3) Coordinate activities.
    - (4) Turn over the responsibility for ensuring the integrity of a homicide scene to the investigating Criminal Investigations Unit investigator or supervisor upon their arrival at the scene.
- e. The **CRIMINAL INVESTIGATOR** shall ensure the crime scene log has been initiated, recording the names of all personnel at the scene;
- f. The **INVESTIGATOR(S)** shall conduct and record interviews which shall include the following:
  - i. Initial interviews with:
    - (1) ADJC employees;
    - (2) Suspect;
    - (3) Witnesses; and
    - (4) Victims.
- g. The **INVESTIGATOR(S)** shall document the following elements in the appropriate report.
  - i. Location;
  - ii. Condition of body, if still present at scene;
  - iii. General examination of body;
  - iv. Determination and verification of death.
- h. If there is a suspect in custody/present, the **INVESTIGATOR(S)** shall:
  - i. Remove suspect from scene immediately;
  - ii. Safeguard all evidence found on suspect;
  - iii. Do not let suspect alter his/her physical condition;
  - iv. Record any spontaneous statements;
  - v. Do not permit any conversation between suspect and others;
  - vi. Safeguard weapon(s) as evidence, if located.
- i. The **INVESTIGATOR(S)** shall include the following elements in the processing of the crime scene:
  - i. Crime scene photographs and their documentation;
  - ii. Dusting for fingerprints;
  - iii. Evidence collection;
  - iv. Process;
  - v. Control;
  - vi. Close examination and documentation of deceased;
  - vii. Removal of deceased;
  - viii. Crime scene sketch;
  - ix. Release of scene.

## 7. Death Investigation Responsibilities:

- a. The **PRIMARY INVESTIGATOR** shall contact the Department of Public Safety Identification Division requesting a response to the scene.
  - i. The **CRIME SCENE INVESTIGATOR** shall direct the order of intrusion into the crime scene which should be but is not limited to:
    - (a) Identification technicians. The **IDENTIFICATION TECHNICIANS** shall

## Procedure No. 1160.02 Criminal Investigations

### Page 4 of 5

- (i) Take photographs of the death scene;
      - (ii) Collect and package evidence; and
      - (iii) Fingerprint the scene
    - (b) Diagramist (completed by crime scene investigator).
  - b. Responsibilities of the **PRIMARY INVESTIGATOR** or designee should be but are not limited to:
    - i. If needed, requesting the assistance of the Facilities Security Team in securing the scene, and/or any other assistance in order to complete the investigation;
    - ii. Notifying the on-call Maricopa County Attorneys Office Major Felony Bureau;
    - iii. Conducting and/or directing the processing of the crime scene by identification personnel;
    - iv. Conducting interviews;
    - v. Completing the yellow tag;
    - vi. Diagramming the scene;
    - vii. Contacting the Medical Examiner's Office to arrange transport of the body;
    - viii. Attending the autopsy;
    - ix. Preparing evidence for scientific analysis;
    - x. Completing reports and collating all case related reports;
    - xi. Being finder/retainer on all subsequent search warrants.
  - c. Responsibilities of the **FOLLOW-UP INVESTIGATOR, BACKGROUND INVESTIGATOR, OR DESIGNEE** who has been designated by an Investigations Commander should be, but are not limited to:
    - i. Conducting interviews on all witnesses who were present at the time;
    - ii. Conducting complete background investigations on all primary witnesses and suspects.
8. **Autopsy:**  
The **CRIMINAL SPECIAL INVESTIGATOR** shall:
- a. Attend the autopsy;
  - b. Request identification personnel to also attend the autopsy;
  - c. Ensure that all-evidentiary material and property released by the Medical Examiner's Office is properly impounded.
9. **Property and Evidence** - Death Investigations:
- a. A **MEMBER OF THE INVESTIGATIVE DETAIL** shall process property/evidence seized in an investigation of a death or violent crime;
  - b. **IID** shall only release or otherwise dispose of property/evidence relative to a death or violent crime investigation with the authorization of the primary case agent and/or the Criminal Investigations Unit Commander or designee.
10. **Public Information Officer** - Death Investigations:
- a. The **PUBLIC INFORMATION OFFICER** shall respond in accordance with established written guidelines;
  - b. **NO ADJC EMPLOYEE INCLUDING THE PUBLIC INFORMATION OFFICER** shall release any information to anyone outside the scope of an investigation without the approval of the Director or designee.
11. **Case Clearances – IID INVESTIGATORS** shall clear criminal cases by the following:
- a. Unfounded: These cases are those that have been found to be falsely reported and/or no criminal activity occurred;
  - b. Arrested: Actual physical arrest and/or citation;
  - c. Cleared Exceptional: Cases cleared where the suspect is known, but for whatever reasons, suspect will not be charged (i.e. victim does not desire prosecution, turndown by the County Attorney, cases used as an aide to prosecution, does not meet filing criteria of the County Attorney's Office-mutual combat, misdemeanor assault);
  - d. Submitted to the County Attorney: Cases that have been submitted to the County Attorney for a complaint and the Investigator is waiting a return. When returned, they revert to cases filed, turned down, returned for further investigation.

**Procedure No. 1160.02 Criminal Investigations**

**Page 5 of 5**

- i. Turndown: Case does not meet County Attorney filing criteria (ie-no reasonable likelihood of conviction);
- ii. Filed: Case does meet County Attorney filing criteria and will be processed through the Criminal Justice System.
- iii. Further: Case returned to the Investigator for additional information and/or investigation.
- e. Information Only: Instances where information is received about crimes that occurred outside of ADJC jurisdiction. The information is documented and shared with the appropriate Law Enforcement jurisdiction.

| <b>Effective Date:</b> | <b>Approved by Process Owner:</b> | <b>Review Date:</b> | <b>Reviewed By:</b> |
|------------------------|-----------------------------------|---------------------|---------------------|
| 08/22/2006             | John Dempsey                      |                     |                     |
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